

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION
5:19-CR-00012-KDB-SCR-1**

USA,

v.

TEVIN JEROME GAITHER,

ORDER

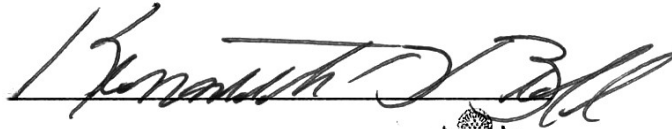
THIS MATTER is before the Court on Defendant Tevin Jerome Gaither's *pro se* motion (Doc. No. 68) to amend his presentence report (PSR), (Doc. No. 37).

Defendant is asking the Court to remove language in several paragraphs referencing Defendant pointing a gun in order for him to qualify for minimum security and be housed in a federal prison camp. (Doc. No. 68 at 4, 5). Defendant attaches a letter that he received from the United States Probation Office of the Western District of North Carolina to the motion wherein the Probation Officer addresses Defendant's wanting to strike language in two paragraphs of the PSR. *Id.*, Attachment 1. The Probation Officer correctly points out that the language in paragraph 103 which references Defendant's pending charges for assault by pointing a gun were dismissed. *Id.* Additionally, the Probation Officer correctly states that the language in paragraph 28, which is part of the Relevant Conduct, is information regarding Defendant's alleged conduct that was provided by the government for the Court's consideration. *Id.* The Court finds no reason to amend the PSR.

IT IS, THEREFORE, ORDERED that Defendant's motion (Doc. No. 68) to amend his presentence report (Doc. No. 37) is **DENIED**.

SO ORDERED.

Signed: January 10, 2025

A handwritten signature in black ink, appearing to read "Kenneth D. Bell", written over a horizontal line.

Kenneth D. Bell
United States District Judge

